

PROCEEDINGS

of a

MILITARY COURT FOR THE
TRIAL OF WAR CRIMINALS

held at

LUNEBURG, GERMANY,

on

MONDAY, 8 OCTOBER, 1945,

upon the trial of

JOSEF KRAMER

and

44 Others.

NINETEENTH DAY.

Transcript of the Official
Shorthand Notes.

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(At 0930 hours the Court reassembles pursuant to adjournment, the same President, Members and Judge Advocate being present.)

THE JUDGE ADVOCATE: I want all the accused to pay careful attention to what I am going to say. I am going to assume that you do not know what your rights are as regards your defence. Therefore, on behalf of the Court, I will briefly explain what you may do.

If you wish you can come and take ~~an~~ oath and give your evidence to the court. If you do that, you will be treated like any other witness in the case who has given evidence on oath, and you will no doubt be questioned to see whether your testimony should be treated as accurate or not.

If you do not wish to give evidence on oath, you can make a statement to the court not upon oath. If you do that, your commonsense will tell you that as your evidence cannot be tested by cross-examination under the regulations it will not, of course, carry so much weight as if you swore on oath.

If you do not wish to give evidence on oath you are not obliged to and, in any event, you will be allowed to call any witnesses you like on your behalf, and your learned defending officers will each have an opportunity of addressing the court generally in regard to your case.

Major Winwood, have you and your brother defending officers discussed with the accused what line they wish to take ?

MAJOR WINWOOD: I have only discussed it with my own clients and I cannot speak for the others.

(All the defending officers with the exception of Lt. Jedrzejowicz indicated to the Court that they had discussed with the accused what course they, the accused, wished to adopt.)

THE JUDGE ADVOCATE: Lieutenant Jedrzejowicz, would you like to discuss this matter now with the accused, because it is my duty to ask the accused in turn, either personally or through the defending officers, what they want to do.

LT. JEDRZEJOWICZ: With the court's permission I will ask them now.

THE PRESIDENT: Very well.

(Lt. Jedrzejowicz confers with the accused)

THE JUDGE ADVOCATE: (To the Interpreters) Would you please ask each of the accused in turn whether he or she desires to give evidence as a witness on oath.

(The Interpreters ask each accused in turn whether he or she desires to give evidence as a witness on oath, and they all answer in the affirmative).

THE JUDGE ADVOCATE: The next question had better be answered by the defending officers. Major Winwood, on behalf of the four accused for whom you appear, are you calling any evidence other than the accused?

MAJOR WINWOOD: Yes, I am calling one witness for the accused Kramer and that is all.

MAJOR MUNRO: I am calling one witness for Hoessler and possibly two witnesses for Ehlert.

MAJOR CRANFIELD: I intend to call a witness for each of my accused.

CAPT. ROBERTS: I have no witnesses to call for either of my accused.

CAPT. BROWN: I may call a witness for the accused Mathes only.

CAPT. FIELDEN: I am calling a witness for Otto and Stofel.

CAPT. CORBALLY: For accused Schreirer one witness, possibly two; for Wilhelm Dor two witnesses; for Eric Barsch two witnesses; and none for Erich Zoddel.

CAPT. NEAVE: For accused Schlomoivicz one witness, possibly three, plus two affidavits. For the two Forsters I am calling nine witnesses, and for the accused Opitz two.

CAPT. PHILLIPS: I shall be calling a witness in the case of Bothe and possibly in the case of Charlotte Klein.

LT. BOYD: I shall be calling one or two witnesses for Sauer and Fiest or Lisiewitz.

CAPT. MUNRO: Possibly a witness for Johanne Roth and none for the other two, Hempel and Hahnel.

LT. JEDRZEJOWICZ: For accused Stanislawa Staroska possibly five or seven witnesses; for accused Anton Polanski, four witnesses; for accused Helena Kopper, two witnesses; for accused Ostrowski, one witness and one statement; for accused Burgraf one witness; and for the accused Aurdzieg, one witness and one statement.

THE JUDGE ADVOCATE: The object of asking the accused whether or not they are calling witnesses on their behalf is that normally the defending officers appearing for those who are calling witnesses are entitled to make an opening address. The position is, however, somewhat complicated by the fact that a defending officer appears for three or four accused, and I suggest, sir, that you might allow a certain amount of latitude to the defending officers and permit them to outline briefly their particular case.

THE PRESIDENT: Very well; Major Winwood, will you make your opening address.

MAJOR WINWOOD: I have the honour to represent four of the accused, namely, Joseph Kramer, Fritz Klein, Peter Weingartner, and George Kraft, all of whom are included in both charges on the indictment as having been part of the staff of Auschwitz concentration camp and Belsen concentration camp.

I wish to begin by quoting a short paragraph from the Soviet newspaper Izvestia which reads as follows: "The trial of the Hitlerite criminals gradually turns into a criminal case of local importance, and international bandits are beginning to look like ordinary criminals from the village of Belsen. In two weeks we have not once heard in court the words 'Hitlerite regime' or 'Hitler's henchmen'."

Within my limited capabilities I wish to remedy that defect, because it is the very foundation of Kramer's case that he was a member of the National Socialist Party, and it was the National Socialist regime which was in power in the country at the time when these alleged crimes took place.

Kramer is a member of the National Socialist Party and he was, only a few days before the trial, a member of the SS. He was also a member of the Waffen SS and as such a part of the armed forces of Germany. In addition to that, Kramer is a German, and I would ask the court when the time arrives for them to find their way through the maze of evidence before them to grasp that phrase: Kramer is a German, in the same way as Ariadne when she was making her way through the labyrinth.

National Socialism started as the doctrine of a party, and it is based fundamentally on the so-called "Führer" principle which was that the person at the top gave the orders and the person at the bottom obeyed those orders, and obeyed them not because they were orders, but because they came from the top. National Socialism demanded two things: implicit obedience and trust on the part of the person carrying out the order.

If I may take the time of the court for a few minutes to make a few quotations, I should like to mention that in the first days of the war, Rudolph Hess, who was the mouthpiece of Hitler at the time, said this: With pride we say there is one German far above criticism. That is the Führer; and that arises from the fact that we all feel and know that he is always right and that he always will be right in the uncritical obedience to his command which do not raise the question of wherefore. In the implicit carrying out of his command lies the sheet anchor of National Socialism.

At the National Socialist Party Conference in Nuremberg in 1934 Alfred Rosenberg - who has been described as the "High Priest" of National Socialism, said: Obedience, Loyalty, Comradeship and soldierly courage, are the four essentials of a true regime, and the greatest of these is Obedience.

Robert Ley, who was in charge of German labour, said: It is obedience which has produced everything in the world what is really great. It is obedience which has carried forward human institutions from generation to generation.

The Führer himself, in the last Party congress before the war when he was speaking, not to the main body of National Socialists but to a select few including many members of the SS, said: I shall strive with all my power to bring back Germany to her rightful place, of which she was raped by the dictator Versaille. To do this I must demand of all of you men and women, soldier and SS man, implicit obedience to my orders.

The next quotation I should like to read to the court is the oath which all members of the SS took and which the accused, Joseph Kramer, took on the day Hitler first became Chancellor and President of the Reich. It is: "I swear to you, Adolf Hitler, as Führer and Chancellor of the Reich, faith and steadfastness. I pledge to you and to those to whom you entrust your orders unwavering obedience unto death. So help me God". That was, as I say, the doctrine of the Party.

That Party produced a programme which, with the unity of National Socialism and the German State, became part of German Law, and is found at the beginning of the Official German Gesetz Book. Paragraph 4 states that a citizen can only be one who is a member of the Race, and a member of the Race can only be one who is of German blood. No Jew can be a member of the Race.

Those who are not citizens of the State can only remain in Germany as strangers in a strange land. The State takes upon itself in the first place to provide life and livelihood for citizens of the State. When it is not possible to look after the whole population of the State, then those people of foreign nationality or foreign blood are to be sent out of the Reich.

In 1933 the Nazi Party became the German government, and I wish to quote a few of the German laws which were enacted since that date; for it is under those laws that Germans had to model their lives. In the same way as Englishmen are bound by English domestic law the German is bound by German law, but I wish in no way to trespass on matters of International Law because someone of far more weight than myself can speak on that hereafter.

The Law of the 24th March 1933 reads: "The law for the removal of distress from people and Reich" - The Reichstag has agreed to the following law. Article (2) "No connection with the **Weimar** constitution". "The laws decided by the Reich government can deviate from the constitution insofar as they do not disturb the existence of the Reichstag or the rights of the President of the Reich".

On the 1st December 1933 there was passed the law on which the whole National Socialist system since that date has been based. The law of the consolidation of the unity of the Party and State. The material part is as follows: After the victory of the National Socialist revolution the German Worker's Party becomes the bearer of the German idea of State, and with the State is inseparably united. "Leader of the Party Chancellery! To assure closest co-operation between offices of the Party with the public authorities the deputy of the Führer is made member of the Reich Government. The most important paragraph: "Party and S.A. Jurisdiction" reads as follows: Members of the National Socialist Party and the SA and organisations included therein will have put upon them increased duties with regard to the Führer, people, and State; and the Führer can apply those conditions to members of that organisation of the Party. I submit that that paragraph puts members of the National Socialist Party above the German law.

When the National Socialist Government had been in power for a year, President Hindenburg died, and on 1st August 1934 a law was passed as follows: The office of the Reich President is combined with that of the Reich Chancellor. Following on this the former duties of Reich President devolves on the Führer and Reich Chancellor, Adolf Hitler. He appoints his deputy. This law comes into force from the moment of the departure of Vice-President Hindenburg from this mortal life. So you have the National Socialist Government of Germany with Adolf Hitler at the top, and the Party members and organisation placed above German law.

It goes further. In 1934 the Führer became the law. Two members of the SS killed a man in Breslau and they were charged with murder under the ordinary domestic law. Hitler himself sent a telegram congratulating them on what they had done and the charge was dropped.

The Court will doubtless remember the famous 30th June when many members of the Nazi Party were liquidated and Hitler himself in a broadcast said: "I am the law", and took upon himself the right of doing what he liked in the way of legal action.

Ever since the beginning of the Nazi Party one of the main planks in their programme has been anti Judaism. There was no place for the Jews in the conception of National Socialism, and the liquidation of the Jews in Germany was a gradual process. In the first place it was done by ordinary German law, the process being to outlaw the Jews, and then by a law passed on the 15th December 1935 at Nuremberg, under which a mass of edicts were issued putting the Jews outside the ordinary pale.

There is no need to go into them in detail. They could not take jobs; they could not lend money; in fact, they had no place in the German social or civic system. Then on the same date another law came into existence for the protection of German blood and German honour. Briefly it was that no German could have any intercourse, in both the broad sense and narrow sense, with any member of the Jewish Race.

In addition there were two laws passed with regard to a matter of which we have already heard from the prosecution - the matter of sterilisation. The law of the 14th July 1933: "Law for the protection of generations to come who have hereditary disease" states: "The Government has power to sterilise those people without the permission of the person undergoing treatment". The law of the 24th November 1933 is the same law applied to habitual criminals of which we have also heard. Those laws applied to Greater Germany as it was at the time.

Germany, when Hitler came into power, set about gathering unto itself several parts of the world, and by a law of the 13th March 1938 the former republic of Austria became part and parcel of the German Reich. Austria was declared to be district of the German Reich. It was declared to be so by agreement of the people of Austria, and it was also declared that the Führer had power to extend to Austria all laws that were before only applied to Germany.

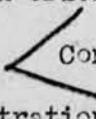
By the law of the 21st November 1938, Sudetenland returned to its home country and became part of the German Reich and again the Führer had the same powers under German law. On the 16th March 1939, shortly before the war, there was the Protectorate of Moravia where again the same rights were extended to the Führer. By the law of the 23rd March 1939 Memel became part of the German Reich. On the 1st September 1939 the Free City of Danzig of its own free will joined the German Reich, and on the 8th October 1939 certain parts of Poland became part of the German Reich. Parts of Poland still remained as occupied territory. A large part of that which joined the German Reich was the Province of Upper Silesia in which was situated the small, and at that time unknown, village of Auschwitz. From that time onwards the Nuremberg laws with regard to Jews were extended to all those countries.

During this time some very unpleasant German newspapers which had to be bought by Party members were shouting for the complete liquidation of Jews - "Death to the Jews" - and a certain gentleman by the name of Streicher was allowed to say what he liked about Jews and was never stopped by the Government as such. The pronounced German plan was to get rid of the Jews by liquidation.

It is not a very big step from the laws of Nuremberg to the chimneys of Auschwitz of which we have heard so much.

There are one or two other German laws which I should like to put before the court. There is a consolidated law dealing with all kinds of matters which affected the citizens and his rights and duty. One paragraph deals with State secrets. State secrets in this connection are writings, drawings, facts or news which might be of use to foreign governments or which would bring the National Socialist State into disrepute in the eyes of a foreign government, and the punishment for such disclosures is death. An offence which is considered very serious in Germany is the offence of mutiny. The ordinary civil mutiny is given a punishment of up to 10 years penal servitude, but if that mutiny is mutiny against Party authority or against an organisation of the party, it is punishable by death.

Going from the National Socialist system to some of the features that came out of that system, I should like first of all to mention briefly something about concentration camps.

 Concentration camp is not a German copy/right. The first concentration camp of modern times was set up by British authorities during the South African war to keep undesirable elements away until the fighting was over. The most modern concentration camp was set up by the British in Egypt in order to keep out of the reach of the ordinary people undesirable elements from Greece. The object of the German concentration camp was to segregate the undesirable elements, and the most undesirable element, from the German point of view, was the Jew.

As regards these concentration camps, there were large numbers of people housed in them and it is a fact that they were very overcrowded. The guards were very small and the administrative staff was even smaller in proportion. The result was that it was left to the internees to do the ordinary, what might be called, "interior economy" of the camp, and that, the court will know, is the principle applied to prisoner of war camps and internee camps.

The type of internee who came to these concentration camps was a very low type, and I would go so far as to say that by the time we got to Auschwitz and Belsen, the vast majority of the inhabitants of the concentration camps were the dregs of the Ghettos of middle Europe.

There were people who had very little idea about how to behave in their ordinary daily life, and they had very little idea of doing what they were told, and the control of these internees was a great problem. 

A At the head of the whole concentration camps was Reichsführer Himmller. He was the head of the whole of the concentration camps and he delegated the Concentration Camp Department to a person called Obergruppenführer Pohl - of whom you have also heard - and he held the position of Inspector General of concentration camps and was responsible for all concentration camps in the whole of Greater Germany.

B Under him we have a Gruppenführer Glucks, and he it was who was the administration officer for all concentration camps. He had to deal with all personnel, with transport, with which interness went to which camp and that manner of thing, and he had sub-departments. He had five sub-departments called D.1, 2, 3, 4, and 5. D.1. - I only want to mention two of them - was under the charge at the beginning of a person called Hoess. That was the office which dealt with personnel. Department D.5. was the medical department and that was presided over by a Dr. Lolling.

With regard to the S.S., they began by being an elite bodyguard for Hitler and they gradually grew into what became the most advanced element and the most thorough-going Nazi part of the whole system.

In Germany the most non-Nazi part of the whole company was the Wehrmacht, and it was only just at the very beginning of the war that the Wehrmacht became Nazis and you will hear from Kramer that there was no love lost between the S.S. and the Army. The Wehrmacht looked at the S.S. as upstarts, especially when they became part of the Germany Army. The Wehrmacht have always been considered by their enemies, by the British and Americans, as soldiers, and in the same way they considered themselves soldiers; that is the ordinary people who were fighting on the other side. But it is well known what the British thought of the S.S. and you may be sure that the Wehrmacht know what the British thought of the S.S. In the past it has been difficult for the S.S. to get co-operation from the Wehrmacht; how much more difficult it must have been in the last days when Germany's defeat was assured.

C D There is another Nazi department which permeates the concentration camp, and of which little has been heard. We have just heard mention of the Political Department. We have heard it mentioned twice, once at Auschwitz and once at Belsen. This political department was nothing more or less than the Gestapo, and its job was primarily to keep a check on the internees, to check their documents, see who they were, and decide where they should go.

Their second duty was to watch the S.S. and see that the S.S. carried out the orders. The political department was responsible to two people, responsible to the Camp Commandant with regard to the documents etc. of the internees, and also responsible direct, and without going through the usual channels, to Himmller's office as Head of the staff.

You thus have, in each concentration camp, certain individuals who were not part of the staff, who were there to carry out those duties and to carry out any extra duties that they might be given direct from the Head Office in Berlin, and you will later hear of an incident of an order coming from that department straight to the political department at the concentration camp without going through the Commandant.

To turn now from the concentration camp in general to concentration camps in particular. Auschwitz was the biggest concentration camp in the whole of Greater Germany. We have heard that it was a collection of camps which was centred round and controlled by Auschwitz camp No. 1, and the Commandant at Auschwitz No. 1 was the Garrison Commander of the whole area.

You will hear from one of the sub-commandants at Auschwitz, Josef Kramer, of the authority which Camp No. 1 had over the other camps. When they started, from the Quartermaster's point of view, everything was done

from Auschwitz No. 1 camp, food, clothing, stores, transport, instructions for working parties. There was also something else that was done direct from No. 1, and that is, instructions with regard to this gas chamber.

I shall produce before you the original telegram from the office in Berlin appointing Hoess as Commandant of Auschwitz No. 1 for the particular purposes of carrying out the duties with regard to the gas chamber. You will hear from Kramer that when he arrived at Auschwitz that order was passed on to him and he was told that the gas chamber was nothing to do with him.

It is quite true - and the Prosecution have and no doubt will make a lot of the fact - that the gas chamber was situated in Berkenau or Auschwitz No. 2, of which Kramer was at that time Commandant. That is true, and it obviously cannot be denied, but if I might take the liberty of drawing an analogy from a British military point of view, it might be that Auschwitz can be compared with Brigade Area, in which the Brigade Commander is the supreme authority. He is in the same position as the Commandant of Auschwitz No. 1, and he has in his turn allocated various areas to Battalions.

In one of those Battalion areas there is a prison, and orders for that prison are under the Brigade Commander himself. He may delegate to the Battalion Commander the duty of guarding that prison, of feeding that prison and any other duties he likes, but subject to duties which he has delegated, supposing he sends a certain number of people down to the prison with a written order that they should be executed, who is responsible for executing them? The Battalion Commander will carry out his orders. Can it be said that the Battalion Commander is responsible for the execution?

Now to return to the gas chamber. It existed, there is no question about it. There is very little question about its purpose, its purpose being to remove from Germany that part of the population which had no part in German life. The way this was done, we have heard from several witnesses, was by selections, selections which took place at the station when the transports arrived, and we have heard also of selections which took place later on inside the camp.

Those selections were ordered by Hoess and later by the Commandant who relieved him. They were presided over - and this is the Defence's line - invariably by a doctor. All doctors in Auschwitz were under the direct control of Auschwitz No. 1. The head doctor and all the other doctors lived in Auschwitz No. 1, and all hospitals in these areas and all doctors, and everything connected with the hospitals, was directly under Auschwitz No. 1.

Present at these selections were certain S.S. people. There were large numbers of transports coming in, and it is quite obvious that a certain amount of control was needed. When one thinks that a lot of these people knew what they were coming to Auschwitz for, I think it is fair to say that a good deal of control was needed when they arrived.

It so happened that these transports came in to Berkenau. They came into Berkenau, Auschwitz No. 2, because in that camp was situated the gas chamber. That was a misfortune for Kramer, because he held that job, was Commandant of that part, and as Commandant he will tell you he received instructions from Hoess that he was responsible for law and order on the arrival of the transports and for the control during the selections.

There have been allegations against Kramer and against various other people belonging to the camp that they took an active part in those selections, and there have been allegations that they themselves actually chose victims for the gas chamber. Kramer will tell you that he never once chose a victim for the gas chamber. He will tell you that he took no active - if by "active" is meant helping - part in choosing people for the gas chamber. He will tell you that a physical selection was done by doctors to decide which people were

capable of working for the German Reich, and that would only be done by doctors.

There are many personal allegations against Kramer for personal acts of ill-treatment at Auschwitz, both from oral statements and in these affidavits, and he will himself tell you - and I do not propose to anticipate them - what he has to say about them. The most important one, which had a connection with this gas chamber, was the revolt of the 7th October, 1944, when crematorium No. 1 was burned and when it appeared there was going to be what might be described as a mutiny in the camp.

According to Dr. Bendel, whom we have heard in Court, there was a wholesale execution by the S.S. of a large number of internees who had been working in the gas chamber, and it is alleged that Kramer was present, although I do not think it was alleged in so many words that he was responsible for the execution.

Kramer will tell you that ~~was~~ was somebody else present there, and that was the Commandant of Auschwitz No. 1, a man by the name of Hauptsturmführer Baer, who was there when Kramer actually arrived at the scene of the execution, and Kramer will tell you what Baer said to him on his arrival.

It will not have escaped the notice of the Court that Kramer has made two statements, in which there is what I might call a hiatus. In his first statement he said that he knew nothing of the gas chamber and that everything about it is untrue from beginning to end. In his second statement he gives an account of the gas chamber, of the organisation under Hoess, and he makes no bones about it.

Here again, I do not intend to anticipate his reason, but he will give you a reason which, to a German and to a National Socialist, is something beyond making an admission to a British officer.

Another feature of Auschwitz camp of which we have heard a lot are these appells. Kramer himself was a Commandant and as such did not take part in appells. He will tell you that an appall is an essential part of running any camp of any kind. If you have got to count the people you have got to get them there and see how many there are.

We have heard countless allegations of ill-treatment and beatings. Kramer will tell you that as he went up and down the camp he never did himself see any S.S. man or Kapo indiscriminately beating or ill-treating any of the internees. He will tell you that he never saw members of the S.S. either men or women go about carrying sticks, rubber truncheons, or any of the articles of torture of which we have heard so much. He will tell you that the S.S. men and S.S. women were authorised at Auschwitz to carry pistols as part of their uniform, and in view of the fact that they were so few in comparison with so many internees, it was self-protection.

You have also heard of experiments of various kinds which took place at Auschwitz, sterilisation, injections and all kinds of things. But Kramer was Commandant of Berkonau, and from a very reliable witness for the Prosecution, Bimko, we heard there were no experiments carried out there. We have heard there were experiments at Auschwitz and there is no doubt experiments were carried out under the aegis of the head doctor of Auschwitz. Kramer will tell you he heard of the experiments but what the details were and what happened with them he does not know. It is not his province and he is not concerned with it.

There is one thing more I would like to say about Auschwitz. Auschwitz was a camp which must have been loathed by all internees who had the misfortune to go there. It was also loathed by S.S. man who had anything to do with concentration camp life. Auschwitz was an isolated village in a

hostile country in the coldest part of Europe. It was a long way from their homes and it had - and it was well known in Germany among the people who should have known - that in Auschwitz there were these buildings with the tall chimneys.

Kramer will tell you himself that when he first heard he was going to Auschwitz he tried to get out of it. He volunteered for the front; he volunteered for anywhere, but he was told, and he was told personally by a high official, that in Germany orders are orders and to Auschwitz he would go.

Eventually his wish came true and he left Auschwitz and he went a long way across Germany until he came to a little village in North West Germany called Belsen.

In the second half of April this year the word "Belsen" echoed round the world and became part of the vocabulary of most nations. It has been described somewhat theatrically as "The Worst Hell on earth", and when Brigadier Hughes arrived at the camp and contacted the Commandant, Kramer, he told us that Kramer was unashamed. Why was Kramer unashamed? He will tell you he was unashamed because he had carried out his orders as a German and that he had done all that he could in the circumstances.

We have had three pictures of Belsen. We have had a picture of what it was like on the 15th April, 1945, from very high up British medical officers and other British officers, and in general there is no dispute with regard to the conditions. We have had a picture from the British inmate of the camp, Mr. Druillenee of what it was like in the last few days at Belsen, and again in principle there is no dispute about that. We have had a picture from a German witness, Dr. Leo, about what it was like in the period February to April mostly from the medical point of view, but also with regard to general conditions.

In order to decide if Kramer has done all that he could in the circumstances, the Court must know, first of all, what the circumstances were when Kramer arrived, and have a picture of the train of events from that time until the liberation of the camp.

I think it is quite clear from the evidence we have heard that there was a deterioration of conditions, and I think it is also true from what we have heard that this deterioration was a gradual process which, as it got towards its end, gathered speed until it became completely out of hand.

Kramer has said in his statement, and he will tell you in evidence, that on the 30th November he paid a visit to the head office of the concentration camp service in Oranienburg and received his marching orders for Belsen. He was told it contained a considerable number of Jews, people called Austausch Jews, who were to be exchanged against German Nationals abroad. He does not know what the system was to this day, except that the Jews were there and they were eventually going to go.

He was also told that Belsen was to become a Krankenlager, a camp for sick people of all the other concentration camps in North West Germany. He was not told that thousands would be coming pouring in from the Eastern part of Germany as the Russians advanced; nothing was said about that at all.

On the 1st December he arrived at Belsen and on the next day, the 2nd December he wrote a letter which I shall put before the Court later, to his former chief at Auschwitz, in which he described what Belsen was like.

The camp was composed of countless small compounds inhabited by different types of Jews. Apparently there are various sets of Jews and some wore yellow stars, and some wore something else. They were all kept separate and he will tell you it was like a Ghetto.

Each separate compound was under some separate organisation. Some were directly under the concentration camp Department at Oranienburg; certain sections were under the Gestapo; certain sections were under the German Foreign Office, and certain under the German Home Office.

There was no division at all into nationalities. There were three different types of rations being issued. There was the ordinary concentration camp ration; there was an extra ration for sick and for children, and there was the ordinary civilian ration which some of these Jews were supposed to get. None of these Jews were capable of work and none were doing any work. There were no drivers there; there were five lorries and no drivers.

In his statement Kramer says there were about 15,000 there. I shall hand to the Court the actual handing-over certificate which Kramer was handed and which gives the number as 15,257. Among this 15,000 odd there were already a certain number of sick people who had arrived from concentration camps.

There have been many allegations against Kramer that he did nothing about various kinds of things, food, bread, shelter, sanitation, water and a number of things. Before dealing with these particular items, I would like to draw to the attention of the Court the calendar of events which happened from the time Kramer took over to the time the British took over.

On the 2nd December, Kramer arrived. At the end of that month a number of these Jews, 2,000 odd, were in fact exchanged, were evacuated from the camp and went somewhere else. In January Kramer took over the camp next door, which had been a Russian prisoner of war camp, and which he turned into what we know now as the Women's compound.

In January the first transports began arriving. It was about the middle of January when Dr. Lollinge, on the instructions of Gruppenfuehrer Glucks, arrived at Belsen to have a look and see if Kramer was carrying out the orders he had been given, and generally to report back to Glucks what the state of affairs was, and he made a detailed tour through the camp and returned to Oranienburg to make his report.

In February spotted fever broke out, and Kramer closed the camp and informed Berlin. Berlin replied: "Fever or no fever, Belsen remains open". The state of affairs at the end of February was, to say the least of it, worrying Kramer, and on the 1st March he made a detailed written report to Berlin on the situation.

I should like to say a word or two about this report. When I was first detailed for this job I read Kramer's statement and I noticed he had made various reports or written various letters to his superior authority, so I immediately asked the powers that were in charge at the time, 43rd Division, for copies, if any, of all letters and documents written by or received by Kramer while he was at Belsen. I have had nothing at all. A fortnight ago I addressed a note to the Prosecution asking again for any copies of any letters, and I have not had any. This letter exists, and the original exists in 21 Army Group ----

COLONEL BACKHOUSE: I do not know if my friend has any right to say that unless he is going to prove it exists, I don't know if he can prove it does exist in 21 Army Group, but if it does I will do my best to get it for him. I have never had it and I should like to see it just as much as he would.

MAJOR WINWOOD: I have a slight advantage over the Prosecution ----

COLONEL BACKHOUSE: I think if my friend is alleging that this letter exists and is held by 21 Army Group, he should tell me who has it and I would get it here.

MAJOR WINWOOD: I have an advantage over the Prosecution. I have in fact a copy of this letter and have seen a photostat copy and have made a copy of that photostat copy. The photostat copy is held by one of our Allies in the South of Germany, and it is only by luck that I happened to see it.

The translation is made by a British officer and is attached to the photostat copy. On that letter there is a 21 Army Group reference J.W.C.E.(E)DE2(21 A.G.) ORG.4, and the translation is made by a Major D.A. Goddon of the Judge Advocate General's Branch, 21 Army Group.

COLONEL BACKHOUSE: He is not a member of the Judge Advocate General's Office.

MAJOR WINWOOD: That is what it says on the letter. This letter is the very kernel of Kramer's defence, because it is written not at the beginning or at the end, but in the middle of his period as Commandant when he was responsible for the well being of the internees of the camp. I feel very strongly that this letter was not produced to me, because it has been in the hands - I do not say of the Prosecution - but of the British authorities who were in charge of this investigation, and on whom there is a duty not only to put before the Court the documents which tend to prove the crime of the accused, but also all documents appertaining to the matter in hand.

COLONEL BACKHOUSE: I think this is a proper time at which I can intervene, because this is a definite allegation against the Prosecution.

MAJOR WINWOOD: Not against the Prosecution ----

COLONEL BACKHOUSE: Against the Army authorities, then. The British War Crimes Executive, to which my friend refers, is no part of 21 Army Group. Major Goddon is not on the staff of the British War Crimes Executive, nor is he on the staff of the Judge Advocate General. British War Crimes Executive are the persons concerned with the major War Criminals case. I know pretty well who Major Goddon is, but he is not part of the staff of 21 Army Group or the Judge Advocate General. This reference is quite obviously a British War Crimes Executive reference, not one of the Judge Advocate General. Had that reference been supplied to me at any time I would have done my best to obtain it from the British War Crimes Executive. I have never been supplied with that reference. It has never been suggested until today that there was any letter I was trying to keep from him or anybody else was trying to keep. I cannot help the Defence if they will not ask for things. If they will come and ask for what they want, as I think Major Cranfield will tell you, I will do my best. Unless they come and ask they will not get it, and it is quite wrong to get up now, at this stage, and make any allegation of that kind.

MAJOR WINWOOD: I should like to say I make no allegation at all against the Prosecution.

COLONEL BACKHOUSE: The allegation has been made against 21 Army Group authorities, and it should not have been made. I do not know whether I can get in touch with Major Goddon, who is in Washington, but I can probably get in touch with the office which he did represent, and if they have the letter I have no doubt it can be obtained.

MAJOR WINWOOD: The only reason I said the letter had been in the hands of 21 Army Group was that the reference included "21 A.G.". I was not interested, as I had a copy of the letter, but I did feel I should have had that earlier on in the case.

We will leave that letter and come back to it later. / During the month of March transports began arriving in ever increasing numbers, and towards the end of March Gruppenfuhrer Pohl himself came down to Belsen. Whether he came in answer to Kramer's letter or whether he came to have a look round is not quite clear, but what is clear - and it is clear from the

evidence of Dr. Leo - is that he got a very good idea of what Belsen was like and a very good idea of what the worst part of Belsen was like. Pohl went back to Oranienburg and that is all we know of him.

On April 15th Belsen was liberated. Kramer, as Commandant, is right in being held responsible for the general administration of the camp, and he has no intention whatever of shifting that burden on to anybody else.

One of the most important things when you are looking after internees is to feed them, and Kramer will tell you that when he arrived at Belsen he was told that food for the winter for 15,000 internees had been indented for, that part of that food, only a small part, had actually arrived on the spot.

He will tell you what his stores of food were during the period he was at Belsen. The authority for issuing food came from the local food people at Hamburg head office, and Celle, which was a sub-district head office.

At the beginning food was sent to him either by rail or by transport, and when, through the office of the R.A.F. and Americans, transport services were not running to normal, he himself had to send out his troops to collect the food.

He has said in his statement that he got some food from the Wehrmacht Depot in Bergen-Belsen barracks, and we have had a glowing picture of the conditions in the food stores when the British took over: sacks of sugar, tinned milk, tinned meat and flour and various other things. Kramer will tell you that at no time did he receive from that store any of those articles. The only thing he got from the barracks, and he got that regularly for a bit, was bread from the bread stores, and when he says in his statement he got food from there, that is the food he got.

Kramer also got bread from a big bread factory in Hanover, but with the advance of the British and the accuracy of the R.A.F. bombing, that factory was put out of commission and bread from there finished.

He also got bread - and this was corroborated by Dr. Leo - from a bread factory at a place called Soltau, not far from Belsen. In his letter of the 1st March Kramer says that at that date he had potatoes for eight days and turnips for six days.

There have been allegations that he did nothing about the water system. We have heard that water depended upon electric current and as long as that electric current was running water was running. But Kramer knew that as well as any British medical officer, and before the current was cut off he had these concrete ponds which we have heard about cleared up, and he will tell you what was found inside them at the time. He had them cleared out, levelled and barbed wire put round to prevent the internees throwing things into them or getting near these ponds for any other purpose than that authorised, which was for drinking water. So when the current did finally go there were these concrete ponds.

Kramer will tell you that when the current went there was no water for washing. He will tell you that, and there was nothing in the circumstances that he could do.

Now with regard to sanitation. You have had pictures of people performing their natural acts all over the camp wherever they felt inclined. When Kramer first arrived there was sufficient sanitation, there were lavatories in each hut - and we have heard from one of the witnesses that

there were lavatories in each hut. But at that time Kramer gave orders for trenches to be dug, and we have heard from one witness that the sandy soil was one of the easiest soils to dig in. The trenches were dug and there was no reason why they should not be dug right through until the liberation.

Kramer will tell you about these internees. We have had a picture of these poor emaciated, hunger stricken, beaten members of the human community. He will tell you that that may be true up to a point, but there were people who naturally performed their natural functions where they felt inclined. In addition to that the vast majority of them were sick and were unable to make their way to the place where it was intended they should perform their natural functions.

Next with regard to accommodation. It is quite clear, and there is no dispute at all, that accommodation was grossly over-crowded by any standard that can be thought of. Kramer had two choices. When transports arrived he could either put them into the camp or he could leave them outside. He had instructions to take them into the camp. He never knew when they were coming or how many were coming, or what condition they were going to be in. They came in and he put them into the camp, and they went inside buildings.

That is how the accommodation was grossly over-crowded. There were very few beds, that was a fact. When he got there about half the people had beds, that is to say, there were about 2,000 three-tier beds. When he took over the large compound which became the women's compound, which had formerly been the Prisoner of War Camp, he took over no beds at all, because the beds went with the prisoners.

He asked about beds. He mentions beds in his report, and in the second half of March he did apparently get 500 three tier beds, but you will appreciate that 500 three-tier beds are, to use the words of Dr. Leo, like a drop of ice on an iron plate.

Next the blankets. The internees either had no blankets or else dirty filthy humid blankets, so we have heard. All internees moving from one concentration camp to another, just the same as in the British Army, were supposed to carry two blankets, and Kramer never had any stocks of blankets. If people came without blankets they were without blankets in the new concentration camp.

We have heard that in the cookhouses food had to have three cookings in order to produce a meal. It is quite obvious that Belsen was completely deficient of all the essential things required for cooking food for a large number, and Kramer asked repeatedly for more of these big boilers so that these three cookings would be avoided. We have heard also a lot about the disposal of the dead. There was, we have heard, a small crematorium in the camp which became hopelessly inadequate to deal with the large number of people who died. Dr. Leo told us that large funeral pyres were made on which the dead were burned.

Kramer will tell you - and Dr. Leo confirms this - that the Forestry Commission refused to allow Kramer to take wood and cut down trees from the surrounding district. In England that is to us almost inconceivable. If we want wood we go and get it. In Germany if you are told not to take a thing you do not take it.

There is a suggestion that it was only when Kramer heard that the British were on his doorstep that he began to think of clearing the camp. Mr. Druillenoc gave us a graphic description of the internees being marched round carrying bodies and being told: "Hurry up, the British are coming and you must get the place cleaned up". Kramer will tell you that these

Kramer will tell you that these mass graves were begun long before the British ever got near the camp, or ever were heard of as being near the camp. Bodies were being moved by transport and car before Mr. Druillenca ever heard of Belsen.

We have heard a certain amount about the British subject called Keith Mayor, and due to the fact that he was a British subject he is no doubt looming as a very important person. Kramer will tell you that during his time at Belsen he received one and only one order from Berlin for the execution of an internee.

We have heard of the Auschwitz order. We have a picture of Kramer sending for his thugs from Auschwitz to come and do the same thing at Belsen. The Court will hear from Kramer that Auschwitz was broken up as a camp at the beginning of 1945 because the Russians were advancing, and all the internees were sent away to other camps, mostly to Belsen, and it is quite obvious that the staff at Auschwitz was distributed among the staffs of the other concentration camps, and that is the reason why members of the Auschwitz staff came to Belsen.

Kramer will tell you again that he had no knowledge of any beating or ill-treatment on the part of the S.S. while he was at Belsen. We have heard from Dr. Leo about the medical arrangements in the camp at the time he was there in February. We have heard from Brigadier Hughes and others of what the arrangements were in the middle of April. Kramer himself, although responsible as Commandant delegated, as is natural, anything to do with the medical side of the administration to his doctor, who at the beginning was Dr. Schnabel and later on was Dr. Horstmann and right at the end Dr. Klein.

It is quite clear that people in authority at Oranienburg know that Belsen was to be a camp for sick people, and it is quite obvious that they must have known what there was at Belsen. Dr. Lollinge himself came down to see and went away, and he must have gone away with a picture of the hospital and medical arrangements which were there at Belsen, and he must have known what was further required.

There are again at Belsen certain personal allegations of ill-treatment against the commandant himself. There again I shall leave it to Kramer himself to tell you what he thinks about them. There is another allegation which I would say is in the nature of a red herring in this case and that is the allegation that a gas chamber was being built at Belsen. Kramer will tell you that that is nothing else but a lie.

I have indicated that the deterioration of conditions at Belsen was due to the transport difficulty, and I should like to say a word or two about that. In the first place Kramer was told that there would be sick people coming from camps in North West Germany. Those people certainly came to Belsen and to say that they were sick people is an under estimate. A large number of them were dying; a large number, we have heard from witnesses including Dr. Leo, were dead when they arrived. In addition to those coming from North West Germany there were the people coming from Eastern Germany who were being sent by the Germans to get them away from the Russians. They all came to Belsen and they came with no notice. They came in small numbers and they came in large numbers; they came by train, they came by truck and they came on foot. They came in the day time and they came at night time. They came with blankets, they came without blankets.

It is quite clear that towards the end the people who sent these transports had not the faintest idea of what was happening. Kramer will tell you that at the beginning of April, the first two weeks of April, he received a notice that a large transport was on its way and it was on that very day that he heard that the British or American armoured spearheads were in Brunswick and in Hannover.

It is inevitable that much of what Kramer is going to say will
A be uncorroborated. <Men like Pohl, Glucks and Dr. Lollinge are not available,>
for a very good reason. So many of Kramer's attempts to get things done
came to nought that you may wonder whether he really made these attempts
or intended to make them. As evidence of corroboration of what was in his
mind I shall call a witness who shared his hopes and shared to a certain
extent his plans and also completely shared his trials. She will tell you
as far as she knows what was in his mind during these difficult times.

B

<Finally, in the last days, Kramer stood completely alone, deserted
by his superiors while these waves of circumstances beat around him. Since
the date of the liberation by the British Josef Kramer, former commandant,
has been branded throughout the world as "The Beast of Belsen". When the
curtain finally rings down on this stage Josef Kramer will, in my submission,
stand forth not as "The Beast of Belsen" but as "The scapegoat of Belsen",
the scapegoat for the man Heinrich Himmler whose bones are rotting on
Luneburg Heath not very far from here, and as the scapegoat for the whole
National Socialist System. >

Kramer.

With your permission, Sir, I will now call the accused, Josef

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With your permission, Sir, I will now call the accused, Josef
Kramer.

THE JUDGE ADVOCATE: The accused, Kramer, is taking an oath on the bible and he says that will be binding on his conscience. He will, of course, give his evidence in German,

THE ACCUSED, JOSEF KRAMER, takes his stand at the place from which the other witnesses have given their evidence and, having been duly sworn, is examined by MAJOR WINWOOD as follows:-

Q What is your full name? A. Josef Kramer.

Q When and where were you born? A. On the 10th November, 1906, at Munich.

Q Were you a member of any political party? A. With the exception of the National Socialist Party, no.

Q When did you join the National Socialist Party? A. On the 1st December, 1932.

Q Are you married? A. Yes.

Q What did you do in 1932? A. In 1932 I was without work and I joined, I believe in the month of June, the S.S.

Q What kind of work did you do in the S.S. when you first joined? A. For the first few weeks I attended only parades, I believe once a week; then after four or five weeks I was working in the office as a clerk.

Q Did you work in the concentration camp service of the S.S. when you joined up? A. Only later on.

Q When did you first begin to take part in concentration camp work? A. In the Autumn of 1934.

Q When did you cease taking part in concentration camp service? A. I was working at that type of work without interruption until April, 1945.

Q Where were you at the beginning of May, 1944? A. In May, 1944, I was in the concentration camp at Natzweiller in Alsace and on the 10th or 15th May I came to Auschwitz No. 2.

Q How did you receive your instructions to go from Natzweiller to Auschwitz? A. It was on higher authority from Berlin that I heard I shall be transferred. This notification was, however, not official; I heard that only from one of my comrades verbally. At the beginning of the month of May Obergruppenfuhrer Pohl told me in Natzweiller that I shall be transferred and two or three days later I had official written notification I was being transferred.

Q Did you say anything to Pohl when he told you you were being transferred to Auschwitz? A. Yes, I told him that after my having been at Natzweiller for the three last years I thought that the camp was in running order, I knew all the sources to get things, and I was not very keen on leaving that camp and certainly I was not keen to go to Auschwitz at all.

Q Why did you not wish to go to Auschwitz? A. In 1940 when Auschwitz was created I had been there for five months and already at that time I did not like it at all; there was no proper order or tidiness and there was the Polish element as well; at any rate I did not like it at all.

Q Is this the original telegram you got transferring you to Auschwitz? (Handed) A. It is a copy of the original.

Q By whom is it certified? A. It is certified by my adjutant S.S. Obersturmfuhrer Gattengaek, who at that time acted as my Adjutant at Natzweiller camp.

MAJOR WINWOOD: I propose to read a translation and hand the translation in with the German original. "State Telegram received by S.S. Uscha Fischer on 6.5.1944 at 1040 hrs. Berlin. 5.5. 14,58. On instructions of the Head Department the following transfer comes into force at once. (1) S.S. Ostubaf Liebehensche, Commandant of Auschwitz I is transferred as Commandant of Lublin with the Labour camps of Warsaw, Radom, Butzin and Blicyn. S.S. Untersturmführer Walter for the Lublin staff will be his adjutant. (2) S.S. Sturmbanführer Hartjensteen takes over as Commandant of Natzweiller, with its labour and affiliated camps. (3) The former Commandant of Natzweiller S.S. Hauptsturmführer Kramer is transferred as Commandant of Auschwitz II. (4) S.S. Obersturmbannführer Höss, while retaining his appointment as head of Dept. D.1, will carry on the expected new events. For this purpose he goes on as Commandant for Auschwitz for three weeks, for this period is appointed garrison commander. (5) S.S. Obersturmbannführer Weiss, Commandant of Lublin is transferred as a departmental head for office D." That is signed: "S.S. W-V Head Office, Head of Personnel Department. S.S. Oberfuhrer Fanzlau. Certified copy. Commandants office, Natzweiller. 9.5.44. S.S. Obersturmführer, Adjutant."

(Telegram dated 5.5.1944, together with English translation, is marked Exhibit 119, signed by the President and attached to the proceedings.)

MAJOR WINWOOD: (To the witness): When you arrived at Auschwitz who was the commandant of the whole of Auschwitz? A. Obersturmbannführer Höss.

Q Of what was the camp at Auschwitz composed? A. The camp at Auschwitz had three sub-divisions; it was a very huge camp and the sub-divisions were Camps Numbers 1, 2 and 3.

Q What was your position in Auschwitz? A. I was the commandant of Camp No. 2; Auschwitz No. 2.

Q Was that also called by another name? A. Berkenau.

Q Do you remember making a long statement which was read in Court the other day and also a shorter statement which was read the next day? A. I do.

Q I wish to read to you one sentence of the first statement: "I have heard of the allegations of former prisoners in Auschwitz referring to a gas chamber there, the mass executions and whippings, the cruelty of the guards employed, and that all this took place either in my presence or with my knowledge. All I can say to all this is that it is untrue from beginning to end." In your second statement you made a statement about the gas chamber, admitting that you knew about it, and giving details about it. Will you explain to the Court how it is that in the first statement you said it was untrue and in the second statement you said that it was true? A. The discrepancy in these two statements have two reasons. The first one is that in the first statement I was told that the prisoners alleged that these gas chambers were under my command. The second and main reason, however, is that [Obergruppenfuhrer Pohl who spoke to me took my word of honour that I shall be silent and shall not speak to anybody at all about the existence of these gas chambers. During my first declaration or statement I felt still bound to this word of honour which I gave to him.] X

Q How was that four months later when you made your second statement you did not feel bound by that word of honour? A. The first statement I made in Diest in Belgium. At that time I did not know how the war was going on; it was still war. The second statement I made in prison in Celle. Then the war was over and those persons to whom I felt that I was bound in honour - Adolf Hitler, Reichsführer Himmler - did not exist any more, they were not alive, and that is the reason why I thought that my word of honour which I gave did not bind me at that period.

Q Did Commandant Hoess say anything to you about the gas chamber? A. He did not say anything. I received a written order from him that I had nothing to do with either the gas chambers or incoming transports, it was not in my jurisdiction, and I had no right to say anything about that.

Q How did Hoess issue his instructions about transports and about the gas chambers? A. I cannot say anything about that. These orders came from Auschwitz 1 and as I was told that I was nothing to do with so I cannot give any sort of explanation about these orders.

Q Was there a political department in Auschwitz? A. Yes, in Auschwitz 1.

Q What did that department do? A. The political department not only at Auschwitz but in every camp had all the card-index system of the prisoners, they were responsible for personal documents and also responsible for any sort of transports or incoming prisoners.

Q Did the political department at Auschwitz have any particular duty? A. The political department in Auschwitz was also responsible for all those selections from incoming transports for the gas chamber.

Q Who was it who actually worked in the crematorium? A. In the crematorium there were S.S. men and prisoners who were taken. This party had the name "special kommando" - "sonderkommando" - and they were under the command of Obersturmbannfuhrer Hoess, the Commandant of Auschwitz.

Q Were you sometimes present at the arrivals of the transports? A. Yes, I was sometimes present because the place where these transports generally arrived was in the middle of my own camp, between the women's compound and the men's compound, and if I wanted to go, say, on an inspection I had to pass that particular place and, therefore, I was sometimes present when transports did arrive.

Q Who was responsible for the control and keeping of law and order when the transports arrived? A. For the strength of the transport, for the number of the prisoners to arrive, there was somebody there from the political department who also was responsible for the selections which sent some to working camps and others to the gas chambers. Secondly, from the security point of view, there was always somebody from the administrative staff, fuhrer or unterfuhrer, from Auschwitz 1 present. Those people who took part in supervising and were responsible for the security were sometimes or partly from Auschwitz No. 1 and partly from my own camp at Berkenau, but the selection of these people who had to supervise it was done by the Commandant of Auschwitz 1.

Q Who was it who actually made the selections? A. The selections were only made by the doctors. If at the arrival of a transport a doctor was not available so the transport had to wait until a doctor arrived and made these selections.

Q What happened when the transports had been divided into gas chamber and capable of work? A. Those who were selected for the gaschambers went to the different crematoriums; those who were found to be fit for work came into my camp; they went to the bath and they were then issued with fresh underwear and fresh underclothing. Those who were found to be fit for work came into two different parts of my camp because the idea was that very soon after, a few days, they should be re-transferred to different parts of Germany for work.

Q Did you yourself ever take an active part in the selections? A. No, I never took part and not only I but the other S.S. members of my staff did not take any part either because, as I mentioned before, the commandant of Auschwitz 1, Hoess, gave direct instructions that gas chambers were not my responsibility at all and so, therefore, neither I nor any of my S.S. staff took part in any of these selections.

Q From whom did the doctors get their orders? A. I cannot say exactly because I have never seen these orders but I should think that Dr. Obersturmbannfuhrer Wiertz, who was the senior doctor of the camp, must have issued those orders to the others.

Q Where did the doctors live - where were the headquarters of the medical staff? A. The doctors lived all together in Auschwitz 1, and the headquarters were also in Auschwitz 1.

Q It has been alleged by various witnesses that you personally selected people for the gas chamber; is that true or not? A. No.

Q It has also been suggested that you used violence with which to load the people into the lorries to go to the gas chamber; is that true or not true? A. No.

Q What was the purpose of the gas chamber? A. I cannot say anything about that, I do not know. The only one who could say anything about it would be Obersturmbannfuhrer Hoess, but I myself never spoke to him about it.

Q What did you personally think about the whole gas chamber business? A. I thought and I asked myself: "Is it really right about these persons who go to the gas chambers, and whether that person who signed for the first time these orders will be able to answer for it"; I do not know.

Q How long did Hoess remain commandant of Auschwitz 1? A. From the month of May to the end of August he was commandant of Auschwitz 1. Then he went to Berlin and in the two months, September and October, that I remained still at Berkenau he came sometimes down to Auschwitz.

Q Who took his place as commandant? A. It was Hauptsturmführer Baer who later on was promoted to the rank of Sturmbannfuhrer.

Q. Was Baer commandant of Auschwitz ~~on~~ 7th October 1944? A. Yes, and at the same time, being commandant of camp No.1 he was responsible and commandant of all the three other camps.

Q. What happened on the 7th October? A. On the 7th October there was a sort of revolt, a revolution, and people tried to escape and also fire in the vicinity of crematoriums Nos. 1 and 3.

Q. Where were you when you first heard of this revolt? A. I was in my garden. It was after lunch. I was at home. It was a Saturday.

Q. How far was your house from the crematorium? A. About three kilometres.

Q. Will you tell us what happened when you first heard of this revolt. What did you do? A. As I mentioned before, I was sitting in my garden. Suddenly my driver came with my car and he reported to me: "Did you hear that crematorium No.3 is in flames?" I said: "Oh, I cannot believe that." I could not imagine it being true. But then I heard that from Auschwitz No.1 all the troops who were available at that time were loaded in trucks and driven to Berkenau, and apart from that that also the fire brigade from Auschwitz No.1 was also on its way to No.2. When I arrived near crematorium No.3 I saw that crematorium No.3 was burnt out already at the time of my arrival, and among the leaders I found there Hauptsturmführer Baer and Obersturmführer Hessler. Then when I left my car Baer spoke to me in this way -- I cannot remember exactly his words but this is what he said: "Now, Kramer, you see the crematorium is burnt out and there is a big mutiny going on" and the prisoners thought that during the upheaval caused by this fire they will succeed in getting out, but as far as I know until now nobody got out, and the ringleaders of this mutiny were shot.

Q. Do you know who gave the order that they should be shot? A. No, I cannot say. When I arrived the prisoners were already lying on the ground.

Q. Was there anybody else in Auschwitz of the same name as yourself? A. At that time no, but in the month of May there was also a Kramer whose rank was hauptsturmführer.

Q. Did other selections take place in the camp? A. Not in my part but in those parts where those Jews were housed which arrived with transports. In those parts other selections did take place. I must add that those Jews were also in parts of my camp, but they were under the command of Auschwitz No.1.

Q. Did you yourself ever attend these selections in the camp? A. Yes, several times when, let us say, I was on inspection tour. Then I stayed there for five minutes or half an hour. I stood there.

Q. Who was carrying out these selections? A. The selections were also carried out by the doctor, mainly by Dr. Mengele.

Q. Did you yourself ever take an active part in these selections? A. No.

Q. Were there any other selections besides the transports and the Jews you have spoken about? A. No.

Q. It has been alleged that selections took place in the hospitals. Do you know anything about them? A. Yes, these took place in the hospitals, which accompanied those Jews I was speaking about who, although being in my part of the camp, did really belong to Auschwitz No.1. It was a separate part in my own camp.

Q. What was this particular part of your camp known as; the part where the Jews were kept?

A. It was camp B.2.C, for short camp C, and B.2.E accommodated the men, but the general name was the part of the transport Jews.

Q. Did you yourself go into this hospital from time to time? A. No.

Q. Why did you not go into the hospital? A. Because the hospital was only the responsibility of the doctor. I had no say in it at all.

Q. Will you tell the court what Auschwitz No.1 was responsible for in regard to your camp? A. As I said before, Auschwitz was sub-divided in one, two and three, but everything concerning accommodation, supplies, transport, the work of the whole administration, depended on Auschwitz No.1. In reality my services were not the services of a camp commandant but rather of a lagerfuhrer. Whenever I needed something I could not give any orders, for instance, to the political department in my camp, but I had to apply to Auschwitz No.1. I got also the orders from Auschwitz No.1 concerning re-transfer of people fit for work to different parts in Germany.

Q. It has been alleged that certain experiments in regard to sterilisation and injections were carried out in Auschwitz. Do you know anything about this at all? A. Not in Berkenau. If something similar should have been done then perhaps in Auschwitz No.1.

Q. I want to ask you a few questions about certain features of concentration camp life. How did you know how many internees you had in the camp? A. Through the roll calls.

Q. Will you tell the court what form these roll calls took? A. These roll calls took place either in front of each block or on a suitable place which was good enough for that, and the count was made by each blockfuhrer, or in the women's compound by the aufseherin. Then those blockfuhrers or aufseherins reported their rolls to the so-called rapportfuhrer, who is in charge of that proceeding, or rapportfuhrerin - it could be a female. The numbers were compared and if they tallied the roll call was over. They fell in in rows of five in front of their blocks. The roll call in Berkenau in both compounds, in the men's and women's compounds, inspite of the fact that about 10,000 to 12,000 to 15,000 prisoners were counted did not take longer than maximum half an hour.

Q. Did you yourself often attend the appels? A. I was in camp every day until the roll call was over.

Q. Did the blockfuhrers as far as you know have any difficulties on the appels? A. Not in those compounds where the working prisoners were, but in compound C where the transport Jews were, yes.

Q. What were those difficulties? A. I attended once myself a roll call in this compound C, and although I did not want at all that they should fall in in front of their blocks what I said was only: "Fall in in fives", and I was counting and counting for a whole hour, but when I counted 300 or 400 those who were counted already started coming in front for the purpose of seeing what was going on. Then I told to the blockaltesters and through them to the prisoners: "I have tried enough and I shall count, and until I finish the count the food will not be distributed." After this the prisoners fell in in fives and the whole count was over in 20 or 25 minutes. If it had been alleged that the roll calls took some times two or three hours it was not our fault, not the fault of those who counted, but it was the behaviour of the prisoners.

Q. I think you said that you yourself conducted this appel only once? A. Yes, once.

Q. And the blockfuhrers had to do it every day? A. Yes. It is possible that as I as commandant had remained at that time finished that roll call off quicker than the aufseherin or the blockfuhrer.

Q. Would you as commandant blame blockfuhrers if occasionally they lost their temper? A. Yes, I would blame them because I would tell them they had to be quite quiet and decent towards prisoners - quiet and decent in their behaviour towards prisoners, but on the other hand I would understand that after having told internees five times or ten times they should fall in, if they still do not do it I would understand that they would lose patience.

Q. You mentioned that these Jews were directly under the command of Auschwitz No.1? A. Yes, they were only accommodated and fed here in my part.

Q. Was it your responsibility to hold the appels for this part of the camp? A. Yes.

Q. You mentioned the arbietskommados. What time did they go out to work? A. It depended on the season and it depended also on the work. In summer for instance generally they went out at 6 or at 6.30 or at 7, and they came home at 1800 hours, sometimes at 1700 hours. In autumn, for instance, some working parties who were at agricultural work went out at 5 or half past 5 or 6, but that is only for a short period of a few days or perhaps one week.

Q. Did the arbietskommado have to attend the appel before they went out? A. In Auschwitz yes, not in Belsen.

Q. What time did the appel start in Auschwitz? A. In the morning a quarter to 5 or 5 o'clock, and in the autumn later.

Q. Were the S.S. people, men and women, allowed by the commandant to carry weapons? A. In Auschwitz the S.S. men had their revolvers or their guns, and the aufseherins, probably from my predecessor or from Obersturmfuhrer Hoess, had permission to carry revolvers.

Q. Were they allowed to carry any other sort of weapon besides a firearm? A. No.

Q. Have you ever seen an S.S. man or an S.S. woman carrying anything in Auschwitz other than a pistol or rifle? A. Yes. I saw once when a transport arrived that some of the S.S. men had walking sticks. I looked at it for a day or two, but then I was afraid that these S.S. might use these walking sticks for corporal punishment of the prisoners, and I gave the order that these walking sticks should be withdrawn, and on the third day there were no more walking sticks about.

Q. These S.S. men who were carrying sticks, did they come from Berkenau or from Auschwitz No.1? A. As far as I remember they were S.S. men from Berkenau.

Q. If any other S.S. men carried sticks or other unauthorised weapon did they do it against your orders? A. Yes.

Q. You mentioned just now corporal punishment. Was that allowed in Auschwitz? A. It was permitted by higher authority at Oranienburg, which was consulted from case to case. When this authority gave permission then it was permitted.

Q. Was that done through the commandant of Berkenau or through the commandant of the whole of Auschwitz? A. That could be made by each commandant. I myself I have written to Oranienburg in such cases.

Q. In how many cases during your time at Berkenau did you get permission from Oranienburg to carry out corporal punishment? A. I cannot say exactly, but I should think about 35 to 40 cases.

Q. How was that corporal punishment carried out? A. The prisoner had to bend over a table and the punishment was administered by other prisoners.

Q. Who was present at the beating? A. The Lagerfuehrer and the doctor had to be present.

(At 1305 hours the court is closed)
(At 1430 hours the court is reopened)
(The accused are again brought before the court)

THE ACCUSED, Joseph Kramer is recalled on his former oath and further examined by MAJOR WINWOOD as follows:-

Q. We have heard a lot about dogs at Auschwitz. Were there dogs there? A. Yes, in Berkenau.

Q. Who had use of these dogs? A. There was a special guard company who was responsible for these dogs.

Q. Had the dogs anything to do with the administrative personnel of Berkenau? A. No; only with the guard personnel and they were distributed to different work squads out on agricultural work.

Q. Can you give us the name of the commander of the guard troops at Berkenau? A. It was SS Obersturmfuehrer Meyer.

Q. Do you remember the witness Glinowiesk? A. Yes.

Q. Do you remember him saying that you caught him and gave him 25 strokes? A. Yes, I do.

Q. Is that true? A. It can only be that for something or other he got 25 strokes which had been authorised by Oranienburg higher authority. I remember that the witness Glinowiesk said that it happened in the autumn of 1943, but I have not been at that time at Berkenau so he must have been mistaken and must have taken somebody else for me.

Q. Did you yourself ever give 25 strokes to Glinowiesk while you were in Auschwitz? A. No.

Q. In one of the affidavits that was read the other day (transcript 16 page 28) you were accused of shooting at people with a machine gun and setting dogs on them. Is that true? A. No.

THE JUDGE ADVOCATE: What affidavit is that?

MAJOR WINWOOD: 125. (To the witness) What personnel in Berkenau or Auschwitz were armed with machine guns? A. Only the guard company. They were in possession of machine guns.

Q. Is there anything else you would like to tell the court about Auschwitz? A. At the moment I would not, no.

Q. Will you now turn your attention to Belsen. How did you receive your instructions to go from Auschwitz to Belsen? A. As far as I can remember, it was a telegram originating from Oranienburg and directed to Auschwitz No.1.

Q. What did you do when you received the telegram? A. I handed over to Sturmbahnfuehrer Bayer when I went away, and after my departure Auschwitz No.2, Berkenau, ceased to exist. The whole handing over was nothing else but that the whole strength of Auschwitz No.2, Berkenau, was taken over by Auschwitz No. 1. That was all; and, as I said before, as I had no particular administration concerning the camp, there was really nothing to hand over.

Q When you had handed over what did you do ? A. The telegram said I had to go to Berken-Belsen and on my journey I had to report to high authority, Glucks, which was at Oranienburg.

Q Did you see Glucks ? A. Yes.

Q What did he tell you ? A. He spoke to me and said: "Kramer, you are going to Berken-Belsen. That is a camp for sick people and it will contain all the sick prisoners from the Northern part of Germany and also all the sick prisoners of the working camps in the North-Western part of Germany. You will have there about 17,000 to 18,000 prisoners." He continued and said all the sick people from these parts - the Northern part and North-Western part of Germany - would eventually come into my camp. I asked him then: "Well, how will that happen ? What sort of transport is it?" and he said: "I cannot answer this at the moment; but the idea is that all those who, for a longer period than 14 days remain in the C.R.S. and through this disturb the normal work of a camp, should be assembled and concentrated in your camp". Then I asked: "Well, what will happen to these prisoners who are all right again" and he answered: "You send those either to those camps where they came from or you will build up a new series of working parties, and you will get orders from Oranienburg where to send those". Then I wanted to have some further details about Bergen-Belsen Camp, but he answered: "Kramer, I cannot tell you very much about it now. You just go to the camp and see for yourself".

Q Did you speak to anybody else on business at Oranienburg ? A. No, I did not speak with anybody. I spoke with three comrades of mine, but those were friends. I forgot to say before that Glucks told me also during this interview: "Kramer you will find a part of the camp with Jews. These Jews are so-called exchange Jews. They will eventually be sent away and exchanged, but when that will happen, I do not know".

Q Did you then go to Belsen ? A. Yes, on the 1st December 1944.

Q What did you find there ? A. I found approximately 15,000 prisoners there. I must say I found it was rather overcrowded because accommodation was very limited. I found a few tents - one or two - but I know that my predecessor because of this overcrowding had to put up tents, but through a storm those tents on my arrival were already destroyed. Therefore, all the occupants of those tents had to be put also into the barracks which were there.

Q Is this the handing-over certificate which you and your predecessor signed ? A. Yes, it is a copy from the original, but it had been typed at the same time.

Q Is it signed by you and your predecessor ? A. Yes.

MAJOR WINWOOD: It says: Bergen-Belsen, 2nd December 1944. Handing over certificate. Following the transfer of the former camp commandant Haus and the appointment of Kramer as commandant of the transit camp Bergen-Belsen, all stores and complete camp with 15,257 prisoners as well as complete papers and secret documents were handed over on the 2nd December 1944. That is signed by Haus and by Kramer. Will you tell the court how many of those 15,257 prisoners were not exchange Jews ? A. About half of them; 7,000 or 7,500 were so-called exchange Jews.

Q What type of internee was the other half ? A. They were normal prisoners of concentration camps. As I had no particular documents about them I cannot answer this question as to what types of prisoners there were, but I know there were about 1500 to 2000 men and about 4000 or 4500 women.

Q Would you describe the conditions in the camp when you first saw it ?
A. The camp in itself was sub-divided into so many compartments that I really could not find my way through. For instance, Berkenau, which was much larger, was very much quicker and clearer to my mind than this smaller camp. This sub-division was created largely through these exchange Jews who were sub-divided in so many parts. They were not allowed to see each other and not allowed to speak to each other; therefore there were so many divisions in the big camp. Those exchange Jews lived together in families, men, women and children. The other inmates of the proper concentration camp were, amongst the men, 90% sick and amongst the women was the overcrowding owing to this catastrophe with the tents. When I arrived it was just as big as it was on the 15th April 1945.

Q What eventually happened to these exchange Jews ? A. In the first few days of December until a few days after my arrival, a Government official from Berlin - his rank was Regierungsrat, but I cannot remember his name, - came down and sorted the majority of these Jews out, about 1300 or 1400 people, and they were, in the month of December, sent away to Switzerland. The second part was selected in the same manner and in the month of January about 400 to 500 left for Switzerland. I must add that these people did not stand under all those people under whose authority I stood. They were commanded directly by Reich Security Command.

Q What exactly is the Reich Security Command ? A. The former title was Gestapo - Secret State Police.

Q What happened to the remainder of these exchange Jews ? A. The remainder, to which a new transport coming from Hungary was added, left the camp on the 31st March or 1st April for the destination of Theresienstadt. They left in three transports.

Q With regard to the food in the camp during the whole time you were there, what was the situation when you arrived on the 1st December ? A. When I came I found the food situation quite all right, because there were only about 15000 prisoners there. Later on, however, when new transports arrived, the food situation and the supply system became more serious.

Q Where did the food come from ? A. They came from Celle and from Hanover. Partly I had to provide my own transport for this. In January, February and March, potatoes which we had from the winter before, were sent into the different kitchens and then I had also some food supplied from a firm in Hamburg which had a small branch office in Bergen itself. In the beginning I bought the whole amount of bread supplied from the Truppenübungsplatz in Bergen itself, and then later on when, through incoming transports, my strength increased the whole time and I was told by the authorities of this Truppenübungsplatz that I could only have 10,000 loaves of bread per week.

Q Did the situation with regard to getting food get worse or get better ? A. Worse.

Q In what way did it get worse ? A. It became worse because the new transports increased my strength the whole time. During the winter months, however, January, February and March, it was hardly possible to get any potatoes or vegetables, and the peasants were reluctant to open reserves. Regarding the bread situation, I got my bread from Celle, then later on from Hanover and in Hanover I could have had any amount of bread, but then the air-raids started. These air-raids destroyed partly the bakeries at

Hanover and partly the roads and the rail system. When the railway system did not work, I myself sent my transport out to fetch some bread; and for weeks and weeks it was always the same: either the bakeries were destroyed and the railway system was all right, or the railway system was destroyed and the bakeries were all right. It went on and on for weeks. When those air-raids started that was the first time when bread did not arrive in the camp. Then I got in touch with a bakery firm at Soltau and I got a few thousand per week from that particular bakery, but with an increasing number of prisoners these bread supplies were certainly not sufficient. One has to realise that Bergen-Belsen is situated far away from any bigger town, because both Celle and Soltau are not big towns in the sense that they could provide for such an enormous camp of the strength of 30,000 to 40,000 prisoners, so I had to try to get supplies from Hanover, and when the railway system did not work I sent out my whole transport - five vehicles-and my drivers were on the job night and day. It was quite easy to get the indents in to proper authority. There was no difficulty about that, but to get the proper things was difficult. In the month of January, February and March, because of the cold climate these supplies were even more difficult to obtain, and my administration staff was told again and again that at first the towns, the cities - Celle, for instance - had to be provided for. At last I lost patience and I told them through my administration official, Fogler, that if I did not get any potatoes or vegetables soon I would hold them responsible for any sort of catastrophe which might happen. On the 20th January I was handed over a form of P.O.W. camp.

This camp, incidentally, became later on the women's compound. I took over all the supplies which were there for the winter, and those things which I found there helped me just a bit to bridge this very difficult period.

Q. What was the food situation at the end of March and the beginning of April? A. Those rations which I was provided with would have been quite sufficient for healthy people for a few weeks. As the transports, however, mostly brought only sick people and hungry people into my camp - I refer to the statement of witness Dr. Leo, who said that one third of the transport was dead before they arrived, so you can well imagine how the other two-thirds looked when they did arrive. I repeat, for those sick people who came into my camp were those rations not sufficient, and I had got only those rations in for the sick people.

Q. Major Berney, who was one of the first witnesses, told the court of a large food store in the wehrmacht barracks a kilometre or two away. A. Yes. Those supplies and those reserves were really for the wehrmacht. My supply system depended on an entirely civilian affair. I could not apply to the wehrmacht for any reserves and the wehrmacht was not authorised to give me any. In these reports they were talking about meat. Well, I got meat twice a week from Celle. I had no reason to apply for it to the wehrmacht. Then another quotation milk or potatoes. Those were supplied also by the civilian authorities and I got them actually all that I had the right to apply for.

Q. What was the feeling between the S.S. and the wehrmacht in the last few weeks of the war? A. I do not understand how you mean feeling between the S.S.

Q. Was there a friendly feeling between the S.S. and the wehrmacht? A. On the surface it appeared to be a friendly relationship, whether it was really such as one of those experiences I had lately I would rather die.

Q. Do you think in these last days of March and the beginning of April that if you had gone to the wehrmacht stores and asked for food you would have got it? A. No.

Q. How were the internees feed who came into what we now call No. 2 camp? A. Those in camp No. 2 arrived there in the last week before the British arrived. I had for those prisoners nothing at all apart from two wagons of potatoes and six or eight wagons of turnips. Then the Platzcommandant, Col. Harrott, gave orders that those prisoners should be fed from the supplies of the wehrmacht, but later on those rations had to be returned again. The motive for the decision of Col. Harrott might have been that as those prisoners were in camp No. 2 and they were not behind barbed wire but moved about quite freely he was afraid that if they would not get anything to eat for a few days they might fall on his barracks and the civilians who were in charge there.

Q. What was the position regarding water in the camp? A. We got out water supply through pumps from Truppenübungsplatz. In the month of March, however, I had some thoughts what happens if there are air raids; this water system would be destroyed, so I gave orders that those huge cement basins, which were in case of outbreak of fire, should be pumped out, cleaned and refilled again with drinking water in case of emergency. The moment I feared actually came in the last weeks. We used the water in the concrete basins for cooking but water for washing was not available.

Q. When did you say this water supply gave out, do you say in the last weeks or the last week? A. In the last week.

Q. What was the position with regard to sanitation in the camp when you took over? A. There was one doctor in the camp Sturmbannführer Dr. Schnabel. After more people fell ill everything was shot. Between the 20th and 25th January Standartenführer Dr. Lolling, the leading doctor for the concentration camps, came for an inspection. He was bothered by Glucks to come and see how many prisoners could be billeted in the camp after the prisoner of war cage had been taken over. On this occasion I told him: "Should any more sick people arrive I want some more doctors." Dr. Lolling told

me he had no doctors available at the moment, but in a few weeks time he would get Dr. Horstmann as the second doctor. Dr. Horstmann arrived in Belsen, I believe, in the beginning of March. Shortly beforehand Dr. Klein had been in the camp for a few days to take over from Dr. Schnabel, who was ill, and in the course of March he came again for a few days to take over for Dr. Schnabel, who was not there then. In March he was coming to take over from Dr. Schnabel who was ill for about a fortnight.

THE JUDGE ADVOCATE: I am afraid I am not very clear on this. Is this right: "Dr. Horstmann arrived in the first week of March, and shortly before Dr. Klein had come to relieve Schnabel, and in March he came again to take over from Schnabel, who was ill for 14 days."

THE INTERPRETER: Yes.

MAJOR WINWOOD: Will you direct your attention back again to the question of sanitation. What steps did you take when this great influx of internees came into the camp? A. There were lavatories in the men's compound, and when we took over the former prisoner of war camp, which was going to be the women's camp, we found three or four latrines. But there were not enough; there were three or four latrine places in each barrack. As the prisoners had arrived already something had to be done in a hurry, so I ordered that ditches should be dug and there should be one for each two barracks. I gave the orders and as far as I know they have been carried out. I want to point out that the people I had in my men's camp were all sick persons, they could not work, so for digging those trenches I had to rely upon the female prisoners, and perhaps they have not worked quite as quickly as men would have done. The men that were found on the 15th April fit for work only arrived in Belsen in the last ten days before the liberation.

Q. Apart from the fact that these internees were ill, is there anything else you can tell us about their types, their behaviour and so on?

A. From the transports that arrived in February and March about one-third of the people were dead already, as Dr. Leo told. The other people, almost 80% of them had to be fetched by truck from the station, and I had to send my own prisoners from the camp to put them on the trucks. This may give an idea of the general appearance and state of health of the prisoners who were arriving in these two months. In fact it was like this, my five trucks every day had to fetch food, bread and building materials, and when they came back in the afternoon or at night they had to go to the station to collect the new arrivals. As a result of that my trucks were very often on the road till 1, 2 or 3 o'clock at night. Standartenfuehrer Dr. Lolling in his visit in January made it quite clear that Belsen could only accommodate 30,000 prisoners. From Ravensbruk messages were sent to the other concentration camps saying that Belsen was to become a camp for sick people, but the people in the other concentration camps knew very well that we had in Belsen nothing but empty barracks.

THE JUDGE ADVOCATE: (To the Interpreter) Are you quite sure you have passed on in English sense what the witness said in German. It does not seem to make much sense to the court. What does he mean by there was nothing at Belsen but empty barracks.

THE INTERPRETER: That is what he said.

THE JUDGE ADVOCATE: Will you try and clear it up, because some of the court are puzzling what he is trying to convey. I do not suppose that is what he was saying at all.

MAJOR WINWOOD: When he said empty barracks I think he meant only barracks. You cannot make a sick camp out of barracks.

A. Dr. Lolling had been to Belsen and had advised H.Q., Ravensbruk that Belsen was to become a camp for sick people, and then headquarters in Ravensbruk sent messages to other concentration camps to inform them about this, although they knew that Belsen had nothing else but empty barracks, no beds, no paillaises.

THE JUDGE ADVOCATE: He means just barracks and no furniture or equipment to put in.

MAJOR WINWOOD: (To the Interpreter) Will you add on what the witness said.

A. No beds, no paillaises, no blankets, nothing at all - no furniture. As a result of my activities I received 3,000 three tier beds, or at least I should receive them but they had not come from Czechoslovakia, and at that time there were practically no trains running. Just the same with the filling of the paillaises, that was wood fibre, but the amount we received was perhaps enough for two barracks, but not enough for all the barracks we had.

Q. May I have that last answer again? A. The filling for the paillaises consisted of wood fibre and the amount we received was perhaps enough to fill the paillaises in two barracks but not in all the 50 or 40 barracks there were. I received all these prisoners and I could do nothing but put them on the bare floor, and you can quite believe me that I did not like the idea of putting them on the barrack floor, but there was nothing else to do. Perhaps I could have said: "I will not take all these prisoners." In that case they would have remained outside of the camp or in the railway carriages, but I was not allowed to say that because they were sent by Ravensbruk and so I just had to take them. To help a bit and improve conditions, in March when the snow had melted away and it was dry I sent out some labour parties to collect straw that could be put on the floor. You should imagine my position, being in the middle of a large field, having no material at all, with the only thing that was growing there and that was practically nothing.

Q. Just one more question about the transports. How much notice did you receive of the prospective arrival of a transport? A. From the larger concentration camps, Sachsenhausen, Buchenwald, I received telegrams one or two days before the arrival of the prisoners. As far as the other transports are concerned, the vast majority, thousands of people, the only notice I received was when somebody at Belsen station phoned me up and said "You can expect a transport for your camp in about half an hours time." Only at the arrival at the station at Belsen I learned where the transport came from, how many persons there were, whether they were men or women. Transports arrived especially from Eastern Germany, Upper Silesia - for instance, from Auschwitz - and these prisoners had been doing the first part of their journey on foot; afterwards they had the opportunity to go either by railway or in trucks. It happened with these transports that the leader of the transport at the station at Belsen even then was not able to tell me of how many persons this transport consisted. I told them: "Well, you have arrived in this transport and you should know how many people there are, and then he said: "Well, we were being and suddenly we found the station, this 10, 12 or 15 trucks; we pushed in as many people as we could and we started and that is how we came here." When I said: "Well, you should be able to tell me the strength of the transport as you had to feed them I was told: "Well, during the journey there was no food at all because there was no time to take care of it, and generally there was no food where we came." I only wanted to tell you this example that you may know how the conditions were during the month of January, February and March.

Q. Did any internees arrive at the camp on foot? A. Yes, prisoners did arrive, especially in the last weeks, on foot or they arrived in trucks. Even from Auschwitz there came some transports that had done the larger part of the journey on foot and only the last smaller part had the opportunity of going by railway.

Q What did the internees bring with them? A. Most of the transports only arrived with the clothes they had on, but I know that the people who started from Auschwitz went away with another suit and two blankets, but you can understand that if these people had to march all day they just threw all their luggage away. As a result of the long distances they had to march the prisoners were hindered too much by carrying the second suit and the two blankets and so they just got rid of them by dropping them near the road.

Q Had you got a stock of blankets in the camp? A. I really cannot say because the hundred or two hundred I had was of no importance for the thousands of prisoners I received.

Q I want to ask you a few questions about the kitchens and the cookhouses. How many cookhouses were there for the whole of Camp No. 1.? A. Five kitchens, without the cookhouse for the troops.

Q How were these cookhouses divided? A. Two cookhouses were in the men's camp, two cookhouses were in the female's camp and one was in front of the women's camp.

Q Which cookhouses cooked for which compound? A. The two cookhouses in the women's camp only cooked for the women and the kitchen 2 in the men's camp also cooked for the women.

Q For whom did the fifth cookhouse cook? A. Most of the time Kitchen 5 was cooking for the women's camp, but it depended upon the strength of the prisoners in the camp and so sometimes they cooked for the men's camp as well.

Q Were there sufficient cooking arrangements for the numbers you had in the camp? A. We could make enough cooking arrangements only by cooking two or three times for every meal.

Q Did anything particular happen in February that you remember? A. The main thing I remember from February is that this numerous number of transports arrived.

A Q Was there an outbreak of any particular disease? A. *(The transports coming from the labour camp Natzweiller brought spotted fever with them; the transports coming from Eastern Germany brought typhus.)*

Q What steps did you take about the spotted fever? A. After Dr. Horstmann (who must have arrived in February, not in the middle of March) reported spotted fever to me I ordered that the camp should be closed and I reported this to Berlin.

Q What reply did you get from Berlin? A. I received a telegram from Berlin saying that the closing of the camp was no good, the camp should be re-opened and I had to take all transports that were going to arrive. In a later telegram it stated that first of all I had to take in the transport of 2,500 women from the camp at Ravensbruck.

Q Were you satisfied with the conditions of the camp at the end of February? A. No, and I reported this in a letter to Berlin.

Q Is that a copy of the letter that you wrote? (Handed) A. That is a copy.

MAJOR WINWOOD: I propose to put in this letter although it is not an original; it is a copy of a photostat copy which I made myself and I am prepared to go into the witness box to say so. I got it from the American Court at Nuremberg. On the face of it it does appear to be an authentic document but if it is objected to by the prosecution I can go into the witness box myself.

COL. BACKHOUSE: I shall accept it straight away if Major Winwood tells me he made the copy.

MAJOR WINWOOD: The translation was attached to the document so I have nothing to do with the translation except that one paragraph was omitted from the letter as not being relevant and that translation was made by one of our interpreters here. I must say this was not signed by Kramer but initialled by Kramer.

COL. BACKHOUSE: Major Winwood assured me he had seen a photostat of the original. He has now supplied me with a copy of the translation and I want to be quite sure I have Major Winwood's assurance that he saw the original letter or, rather, the photostat of the original letter which went to Glucks, because I think that what he is producing is a copy of a letter which was produced by Mrs Kramer and not the original at all.

THE PRESIDENT: Is that signed by Kramer?

MAJOR WINWOOD: It is initialled by Kramer; it has "J.K." on it.

COL. BACKHOUSE: The whole thing which is important is where it came from. If it came from Glucks file then it went to Glucks but if it is something which Mrs Kramer turned up - which I think it is - it may or may not have any value. I am suggesting it is a letter which Mrs Kramer produced after this case started.

THE JUDGE ADVOCATE: Who got the letter?

COL. BACKHOUSE: I say Mrs Kramer produced a letter which was supposed to a copy of the letter which Kramer is supposed to have sent in March. That is one thing. An original letter which came from Glucks's file is a totally different thing because that was a genuine letter sent. The letter, of which I have been supplied with a copy, is undoubtedly the one which Mrs Kramer produced and not the one which came from Glucks's file. If that is the one which my friend says he has seen an original of I shall want a very much better assurance and in fact I would like him to do as he says to go into the box and be cross-examined on it.

MAJOR WINWOOD: All I can say is that I saw a photostat copy of that letter. It is not signed, it is initialled "Hauptsturmführer Commandant J.K.". I have no idea where it came from. If the letter came from Mrs Kramer and was in the hands of the prosecution I should very much have liked earlier in this case to have seen it.

THE PRESIDENT: What I am not quite clear about is: where did you see this photostat? ..

MAJOR WINWOOD: I saw the photostat copy in the file of the American Section of the British War Crimes Commission in their office at Nuremberg. They have a file which is headed: "Belsen", and it had very little in it except this photostat copy plus the translation by Major Godden. It may have come from Mrs Kramer; I do not know at all.

COL. BACKHOUSE: I know exactly where it came from, that is why I want the assurance of seeing the original letter.

THE JUDGE ADVOCATE: The point of importance surely is not that Kramer may have written a letter; it seems to me that the question is: did he write a letter and if so did he send it to someone in authority above him with a view to having the situation remedied?

MAJOR WINWOOD: He did. Can I put this to Kramer and ask him if that is the letter which he wrote, or the substance of the letter which he wrote to Glucks or not?

THE JUDGE ADVOCATE: If the witness is prepared to say: "I now look at this document and, refreshing my memory from it, I am prepared to swear I wrote such a letter" that would be admissible and it would be for the prosecution to cross-examine him afterwards if they do not agree with it. That seems to me to be the only way.

COL. BACKHOUSE: I have no objection to that. The only thing I would like is for Major Winwood to withdraw what he said, that he had seen a photostat copy of the original, because I knew all about that letter. He has certainly not seen a photostat copy of the original; what he has seen is a photostat copy of what is supposed to be a copy and that is a very different thing from a photostat copy of the original.

MAJOR WINWOOD: The photostat copy was, as far as I could make out, a photostat copy of a top copy of the letter and not a carbon copy, but I am not so very sure about it.

THE JUDGE ADVOCATE: You never saw any document at all signed in the full name of Kramer?

MAJOR WINWOOD: That is correct. It may be that he just initialled the copy; I do not know.

THE JUDGE ADVOCATE: I think, Sir, he is entitled to put the document to his own witness and see what he says and then the prosecutor can cross-examine him on it.

THE PRESIDENT: Very well.

MAJOR WINWOOD: (To the witness): Will you read that letter carefully and see if it is the letter which you wrote to Gruppenfuhrer Glucks?

(The witness reads a portion of the letter.)

THE JUDGE ADVOCATE: Do not you think the witness will be able to remember whether he wrote it by this time without reading it right through?

MAJOR WINWOOD: Yes. (To the witness): Is that the letter? A. Yes.

Q Did you send a copy of that letter to Gruppenfuhrer Glucks in Berlin?
A Yes, the original.

Q Was the letter posted? A. It was not sent by post but by private courier so that Glucks received it on the next day.

Q Towards the end of March did you receive another visit from a higher authority? A. Yes, from Obergruppenfuhrer Pohl.

Q Do you know why Obergruppenfuhrer Pohl came down to Belsen to see you?
A To inspect the camp.

Q Did he mention this letter which you had addressed to Glucks? A. So far as I can remember there was some talk about it in my office, in connection with those transports which I had to receive, but I can remember that I had been talking to him about the incident of closing the camp and that from Oranienburg orders came that the camp had to remain open.

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MAJOR WINWOOD: The letter is headed: "Bergen-Belsen 1st March, 1945.

From Josef Kramer, Hauptsturmführer, Camp Commandant". It is addressed: "To Head of Dept. D in S.S. Administration Dept., S.S. Gruppenführer Glucks, Oranienburg." "Gruppenführer, It has been my intention for a long time past to seek an interview with you in order to describe the present conditions here. As service conditions make this impossible I should like to submit a written report on the impossible state of affairs and ask for your support.

"You informed me by telegram of 23rd February, 1945, that I was to receive 2,500 female detainees as a first consignment from Ravensbrück. I have assured accommodation for this number. The reception of further consignments is impossible not only from the point of view of accommodation due to lack of space but particularly on account of the feeding question. When S.S. Standartenführer Lolling inspected the Camp at the end of January it was decided that an occupation of the camp by over 35,000 detainees must be considered too great. In the meantime this number has been exceeded by 7,000 and a further 6,200 are at this time on their way. The consequence of this is that all barracks are overcrowded by at least 30%. The detainees cannot lie down to sleep, but must sleep in a sitting position on the floor. Three tier beds or bunks have been repeatedly allotted to the camp in recent times by Amt B.III but always from areas with which there is no transport connection. If I had sufficient sleeping accommodation at my disposal, then the accommodation of the detainees which have already arrived and of those still to come would appear more possible. In addition to this question a spotted fever and typhus epidemic has now begun, which increases in extent every day. The daily mortality rate which was still in the region of 60-70 at the beginning of February has in the meantime attained a daily average of 250-300 and will still further increase in view of the conditions which at present avail.

The next paragraph is headed "Supply": "When I took over the camp winter supplies for 15000 internees had been indented for, some had been received but the greater part had not been delivered. This failure was due not only to difficulties of transport but also to the fact that practically nothing is available in this area and all must be brought from outside the area. The supplies which were available here were calculated to last till 20 February, by the greatest economy it has been possible to have still at the present time potato supplies for eight days and turnips for six days. Fresh negotiations with the representatives of the local peasants combine with regard to further supplies have been started. The same situation prevails with regard to the supply of bread - apart from the supply by Training Area Bergen we received daily one load from a bread factory in Hannover. For the last four days there has been no delivery from Hannover owing to interrupted communications, and I shall be compelled, if this state of affairs prevails till the end of the week, to fetch bread also by means of lorry from Hannover. The lorries allotted to the local unit are in no way adequate for this work and I am compelled to ask for at least three to four lorries and five to six trailers. When I once have here a means of towing then I can send out the trailers into the surrounding area. If the negotiations with the representative of the local peasants combine on the subject of supply of potatoes are successful, then I have to allow for fetching those also by lorry. The supply question must, without fail, be cleared up in the next few days. I ask you Gruppenfuhrer, for an allocation of transport. The collection of food will be dealt with from here. Further I need sadly an additional supply of boilers. All boilers belonging to the camp are in use day and night. We shall be in great difficulties if one of these boilers fails. There is a field kitchen here with 30 boilers of 300 litres capacity which were placed at the disposal of the S.S. by the D.A.F. To our request of 29 December 1944 that we should make temporary use of these boilers we received a written reply on 3 January 1945 that their use cannot be sanctioned. S.S. Sturmfuhrer Burger noted this when he paid a visit here. I do not know what decision was arrived at as a result of any discussions. Possibly under the changed conditions it is possible to gain the use of these boilers. I urgently need here a further 20 boilers in order to be able to provide for a possible deficit.

"State of Health. The incidence of disease is very high here in proportion to the number of detainees. When you interviewed me on 1 December 1944 at Oranienburg you told me that Bergen-Belsen was to serve as a sick camp for all concentration camps in North Germany. The number of sick has greatly increased, particularly on account of the transports of detainees, which have arrived from the East in recent times - these transports have sometimes spent eight to 14 days in open trucks. An improvement in their condition and particularly a return of these detainees to work, is under present conditions quite out of the question. The sick here gradually pine away till they die of weakness of the heart and general debility. As already stated the average daily mortality is between 250 and 300. One can best gain an idea of the conditions of incoming transports when I state that on one occasion out of a transport of 1900 detainees over 500 arrived dead. The fight against spotted fever is made extremely difficult by the lack of means of disinfection. Due to constant use the hot-air delousing machine is now in bad working order and sometimes fails for several days. At the time of his visit S.S. Standartenfuhrer Lolling promised me a 'short-wave delousing machine'. To use this I need a more powerful transformer, which according to information received from Bauinspektion Nord, Wismarstrasse, Berlin is awaiting collection. Although I require the apparatus so urgently it is impossible at the present time to send transport to Berlin to collect it. The same situation prevails with the parts for the new crematorium and for roofing material and cement. In my opinion it should be possible for the building department to load all these urgently required items if not in a lorry at any rate in a truck and to despatch this to this place with a transport of detainees from Sachsenhausen or Ravensbruck. So far as the building Department is concerned the matter is finished when they have stated that the items can be fetched from this or that place. The Departments probably believe that transport is available here in great excess and only

waiting for employment. A further item which concerns the Building Department is the sewage installation. It was decided in 1943 that the existing machinery was too small for the number of detainees. In the period since 1943 several investigations and plans were made, but nothing at all done. Now owing to this deliberation a catastrophe is taking place for which no one wishes to assume responsibility. It may be possible to initiate measures from your end so that the matter is put in hand.

"Gruppenfuhrer! I can assure you that from this end everything will be done to overcome the present crisis. With this letter I merely wanted to point out to you the difficulties which exist here. For my part it is a matter of course that these difficulties must be overcome. I am now asking you for your assistance, as far as it lies in your power. In addition to the above-mentioned points I need here before everything accommodation facilities, beds, blankets, eating utensils - all for about 20,000 internees.

"On the question of putting the internees to work I have contacted the employment authorities. There is a chance of being able to make use, in the near future, of woman labour. There is no availability here of making use of male labour. In addition to the concentration camp prisoners there are here still about 7,500 internees ('Exchange Jews'). S.S. Hauptsturmfuhrer Moes from RSHA. IV.A.4.b was here last week and informed me that these Jews would be removed in the near future. It would be much appreciated if this could be done as soon as possible, for in this way accommodation could then be found for at least 10,000 concentration camp prisoners. Because of the spotted fever danger S.S. Hauptsturmfuhrer Moes is not willing to take these Jews away at the present time. These Jews are to go partly to Theresienstadt and partly to a new camp in Wurttemberg. The removal of these internees is particularly urgent for the reason that several concentration camp Jews have discovered among the camp internees their nearest relations - some their parents, some their brothers and sisters. Also for purely political reasons - I mention in this connection the high death figure in this camp at present - it is essential that these Jews disappear from here as soon as possible.

"With that I wish to close my present report. In this connection, Gruppenfuhrer, I want to assure you once again that on my part everything will definitely be done to bridge over this difficult situation. I know that you have even greater difficulties to overcome and appreciate that you must send to this camp all internees discharged from that area; on the other hand I implore your help in overcoming this situation". It finishes up: "Heil Hitler, yours truly J.K. S.S. Hauptsturmfuhrer".

(Letter from Kramer to Glucks is marked Exhibit "121", signed by the President and attached to the proceedings).

MAJOR WINWOOD: You mentioned that Obergruppenfuhrer Pohl arrived at Belsen ?
A Yes, on the 19th or 20th March.

Q What did he do when he got to the camp ? A I went with him through the camp and I showed him purposely the worst parts of it.

Q Did anybody go with you ? A With me came Dr. Horstmann and my administrative official Vogler and with Pohl came Lolling and Hoess.

Q What position did Hoess hold at this time ? A His rank was an Obersturmfuhrer and he came to deputise for Glucks from Oranienburg.

Q Where did you go when you went into the camp ? A We went at first to the men's camp, inspected there a new sewage system and then returned through the women's compound. Consequently he saw the whole camp.

Q Did you go into the hospitals, or the huts that were used as hospitals ? A In men's compound No. 1, yes; not in No. 2, because he did not want to see any more.

Q Did you have any conversation with him after his inspection ?
A Yes. His words were: "What I have seen today in Belsen I have never seen before anywhere". My answer was: "Gruppenfuhrer, I am sorry but I cannot show you something better, but if they send me nothing else but sick prisoners than that is the result". Then we returned to the office and there we had a conversation with the purpose of trying to find means to improve the situation. My proposals were first to cease all new transport, not to send any more. No. 2 to transfer all those so-called exchange Hews with their families, because through this I would get about 20 beds free. Then we discussed the question about new accommodation. Ready made barracks could not be delivered because they were not existing at that time so we discussed the possibility of material which was there and then available for erection of huts. The result of the conversation was a decision to erect so-called earth huts. (The Interpreter: I asked him what he means because I did not understand him, so he said that holes were dug in the earth and then fixed through wooden planks so that the earth should not fall in again). (The witness continues): The idea was to build approximately 40 of such huts and in each one about 100 prisoners should be accommodated. Work should have started on the next day and the Obergruppenfuhrer told me he was going to return in a fortnight and he wants to see the first hut finished. When I mention these huts, these huts are the same which had been defined by one of the witnesses through mistake for gas chambers.

The two other proposals which I made, No. 1 no more transports, and No. 2 re-transfer of those Jewish families which were to be exchanged, the Obergruppenfuhrer decided there and then to send a telegram and to comply with my request concerning these two points. The last transports arrived on the 29th March and those Jewish families I was talking about they were sent away on the 30th March and on the 1st April in three different transports on three different days.

Q Did Pohl then return to Berlin ? A Where he went I do not know, but I believe he continued his journey towards Buchenwald.

MAJOR WINWOOD: That would be a convenient moment to adjourn, sir.

THE PRESIDENT: Very well.

(At 1720 hours the Court is adjourned until 0930 hours on Tuesday, 9th October, 1945).

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